

UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEW HAMPSHIRE

Etty Tham

v.

Civil No. 19-cv-00037-PB

U.S. Immigration and Customs Enforcement
Field Office Director Todd Lyons and
Strafford County Department of Corrections
Superintendent Christopher Brackett

O R D E R

Before the court is Etty Tham's petition for a writ of habeas corpus under 28 U.S.C. § 2241 (Doc. No. 1), which petitioner filed while in the custody of Immigration and Customs Enforcement ("ICE") at the Strafford County Department of Corrections ("SCDC"). The petition is before the court to determine whether it is facially valid and may proceed. See Rule 4 of the Rules Governing Section 2254 Cases ("§ 2254 Rules"); see also § 2254 Rule 1(b) (authorizing court to apply § 2254 Rules to § 2241 petitions); LR 4.3(d)(4).

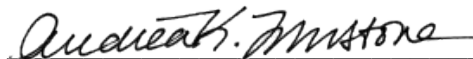
It is not clear from the face of the petition that petitioner's claims are meritless. Service upon the federal respondent shall be effected by the clerk's delivery of the Petition (Doc. No. 1) and this Order to the United States Attorney for the District of New Hampshire, and by sending the same documents by certified mail to the ICE Boston Field Office, 1000 District Ave., Burlington, MA 01803; ICE Headquarters, 500

12th St., SW, Washington, DC 20536; and to the United States Attorney General in Washington, DC. Service upon SCDC Superintendent Christopher Brackett shall be effected by providing the same documents to the U.S. Marshals Service for service upon Brackett, pursuant to Fed. R. Civ. P. 4(j)(2).

Respondents shall file an answer or other response to the petition within fourteen days. Respondents shall provide this court with at least 48 hours advance notice of any scheduled removal or transfer of petitioner out of this court's jurisdiction.

The clerk's office is directed to immediately provide a copy of this order to the District of New Hampshire United States Attorney's Office Civil Bureau Chief. Any party may request a telephone conference with the court at any time, including prior to service of the petition upon respondents.

SO ORDERED.



Andrea K. Johnstone
United States Magistrate Judge

January 11, 2019

cc: William A. Hahn, Esq.